

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THOMAS CALVO JR.,,

Plaintiff,

07 Civ. 5993 (SHS)

-against-

METROPOLITAN TRANSPORTATION AUTHORITY,

**DECLARATION OF  
SERVICE**

Defendant.  
-----X


STATE OF NEW YORK        }  
                                      } ss.:  
COUNTY OF NASSAU        }

PHILIP J. DINHOFER, an attorney admitted to practice law in the Court's of the State of New York, declares pursuant to 28 U.S.C. § 1746, that the following is true and correct, under penalty of perjury.

On June 25, 2007 at 3:00 PM I personally served the within SUMMONS and COMPLAINT upon the defendant METROPOLITAN TRANSPORTATION AUTHORITY at 347 Madison Ave., NY, NY, by delivering a true copy of each to said defendant, upon Ann Cutler . Deponent knew the person so served to be the person described as said individual therein by virtue of her oral and written admission of receipt of service on a copy hereof as indorsed upon the face of the summons.

That said person is described as follows: Female, White, Approx 5"-5'4", Blonde Hair, Approx. 125-140 lbs, Approx. 45-55 years old, and wearing eyeglasses. Ms. Cutler did express her own authority to accept this service. In response to my specific inquiry, Ms. Cutler explicitly stated to me that she was authorized to accept service of process and thus signed for receipt of a copy of the summons and complaint herein.

Dated: Rockville Centre, New York  
June 25, 2007

  
By: Philip J. Dinhofer, #6940  
**PHILIP J. DINHOFER, LLC**  
Attorneys for Plaintiff(s)  
77 N. Centre Ave. - Suite 311  
Rockville Centre, NY 11570  
516-678-3500

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

THOMAS CALVO, JR.

SUMMONS IN A CIVIL ACTION

V.

METROPOLITAN TRANSPORTATION  
AUTHORITY

CASE NUMBER:

'07 CIV 5993

*Ann Little*  
ACCEPTED FOR MTA ONLY  
6/26/07

JUDGE STEIN

TO: (Name and address of Defendant)

METROPOLITAN TRANSPORTATION AUTHORITY  
347 Madison Ave.  
New York, NY 10017

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

PHILIP J. DINHOFER, LLC  
77 N. Centre Ave. - Suite 311  
Rockville Centre, NY 1570  
516-678-3500

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 25 2007

CLERK

*Manos Quintero*

DATE

(By) DEPUTY CLERK